

From: [Guerry, William M.](#)
To: [HertzWu, Sara](#)
Cc: [Bill Tyndall](#); [Mike Major](#); "tsommer@boeteams.com"; [Weekley, Erin](#); [Jason Osbahr](#)
Subject: BOE Supplemental Response to Oct 11 IR
Date: Friday, December 07, 2018 2:49:59 PM
Attachments: [181207_BOE_Response_to_Oct_11_IR_final.docx](#)
[181207_PRV_PACE_Quote.pdf](#)
[181206_CEMS_po.pdf](#)

Sara

Great to catch up today. Per our call, as well as the technical-status call we had last Thursday with Erin, enclosed is the supplemental response to EPA's October 11th Information Request. In our prior calls and my related email to you from November 2nd, BOE had proposed a parametric monitoring approach to demonstrate compliance with the air permit requirements applicable to the emissions from the Skid system.

As we discussed today, we have conceded to EPA's proposal and are willing to install a permanent CEMS sensor at the inlet to the Skid. However, this CEMS is a substantial additional expense. BOE needs time to integrate this new Skid sensor with the CEMS system that BOE will be installing at the pre-flare location pursuant to the NDEQ air permit.

As we discussed, given the successful installation of the two permanent fenceline monitors, BOE requests EPA to allow BOE to stop the data-logging and use of the five current monitors outside of the Receiving Area. The data logging of the existing interim monitors used outside during the winter months (on the AD Roof and the North East fenceline) are particularly problematic--given the limited battery life during the winter as well as the daily access challenges.

I am working to fill the remaining technical gaps we discussed in BOE's Report on its completion of the compliance actions in the AOC. Early next week, I plan to send you that AOC Completion Report as well as the information requested at the close of the EPA on-site inspection on November 14th.

Best, Bill

WILLIAM GUERRY

Partner

Kelley Drye & Warren LLP

Tel: (202) 342-8858

Cell: (301) 318-8719

wguerry@kelleydrye.com

This message is subject to Kelley Drye & Warren LLP's email communication policy.

[KDW-Disclaimer](#)